



PATENT

Case Docket No. ECCENT.003RA

Date: February 27, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Diaz et al.	)	I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: United States Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on
Appl. No.	:	09/821,371	)	
Filed	:	March 29, 2001	)	
For	:	PERSONALIZED HAND HELD CALORIE COMPUTER	)	February 27, 2003 (Date)
Examiner	:	Cosimano, Edward R.	)	Rabinder N. Narula, Reg. No. P-53,371
Group Art Unit	:	3629	)	

TRANSMITTAL LETTER

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

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GROUP 3600

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) Response and original patent number 5,890,128.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

Rabinder N. Narula  
Registration No. P-53,371  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404



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ENT.003RA

PATENT

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RESPONSE

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

In response to the Office Action dated December 30, 2002, enclosed please find the original patent number 5,890,128. Applicants respectfully submit that the present reissue application is in condition for allowance, and Applicants respectfully request allowance.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 2-27-03

By: Rabinder N. Narula  
Rabinder N. Narula  
Registration No. P-53,371  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

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**UTILITY/DESIGN PATENT**  
(miscellaneous)

Date: 2/27/03

Date of Action:

Rec'd in the USPTO on the date stamped hereon via Certificate of Mail:

Docket #: ECENT.003RA Applicant: Diaz et al

Title: Personalized Hand held Calorie Computer

App No: 091821371 Filed: 3/29/01

Exr: Compane, Edward R. Art Unit: 3029

Class/Sub-Class:  Re-Exam No.:

Patent No.:  Issued:

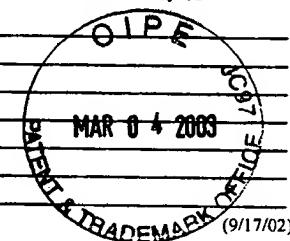
VERIFIED BY: Asst: Ctc Atty: RNN QC: MS

Response

Original Patent # 5,890,128

Transmittal

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**GROUP 3600**



**PATENT**

Case Docket No. ECCENT.003RA  
Date: April 30, 2003

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

## TRANSMITTAL LETTER

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United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) Response.
- (X) Copies of the Transmittal Letter dated February 27, 2003, Response dated February 27, 2003, the Return Postcard dated February 27, 2003.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

Rabinder N. Narula  
Registration No. 53,371  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

# The United States of America



The Commissioner of  
Patents and Trademarks

*Has received an application for a patent for a new and useful invention. The title and description of the invention are enclosed. The requirements of law have been complied with, and it has been determined that a patent on the invention shall be granted under the law.*

*Therefore, this*

## United States Patent

*Grants to the person(s) having title to this patent the right to exclude others from making, using, offering for sale, or selling the invention throughout the United States of America or importing the invention into the United States of America for the term set forth below, subject to the payment of maintenance fees as provided by law.*

*If this application was filed prior to June 8, 1995, the term of this patent is the longer of seventeen years from the date of grant of this patent or twenty years from the earliest effective U.S. filing date of the application, subject to any statutory extension.*

*If this application was filed on or after June 8, 1995, the term of this patent is twenty years from the U.S. filing date, subject to any statutory extension. If the application contains a specific reference to an earlier filed application or applications under 35 U.S.C. 120, 121 or 365(c), the term of the patent is twenty years from the date on which the earliest application was filed, subject to any statutory extension.*

Acting Commissioner of Patents and Trademarks

Attest



US005890128A

# United States Patent [19]

Diaz et al.

[11] Patent Number: 5,890,128

[45] Date of Patent: Mar. 30, 1999

[54] PERSONALIZED HAND HELD CALORIE COMPUTER (ECC)

[76] Inventors: **H. Benjamin Diaz; M. Inez Genera,**  
both of P. O. Box 294, Brea, Calif.  
92622

[21] Appl. No.: 610,380

[22] Filed: Mar. 4, 1996

[51] Int. Cl.<sup>6</sup> ..... G06F 17/00

[52] U.S. Cl. .... 705/2; 128/921; 364/400  
364/700

[58] **Field of Search** ..... 128/921; 364/400;  
364/700, 709.03, 709.12; 705/2

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*Primary Examiner*—Edward R. Cosimano

[57] ABSTRACT

A novel hand held individually customized interactive integrated circuit device for nutrition and exercise management. Featuring built in Random Access Memory (RAM) Storage of extensive food lists with associated caloric and fat contents. The device also incorporates RAM storage of exercises with associated activity caloric values or rates. The basic unit utilizes the individual's personal characteristics such as sex, age, weight, height, frame size, life style and goals with programmed calculations to derive optimum suggested weight, metabolic rate, daily caloric/fat intake targets, exercise targets and exercise/daily calorie burning rates. The personalized hand held calorie computer tracks daily and historical individual caloric input/output, fat input, and weight which can be viewed in the form of charts and graphs. Alarms are provided in a variety of tones, sounds, and tunes which alert the individual to breach of prescribed optimum daily caloric/fat intake or signal special events such as times for medication, special eating intervals, and appointments. Additionally, it can be used with optional wireless activity sensing and odometer attachments already available in the market to automatically track/deduct burned calories from total daily caloric intake when walking, running, riding a bicycle, or performing other activities. The device is intended for use by individuals interested in increasing, decreasing or maintaining their body weight for personal or medical reasons. Optional medical programs take into consideration special dieting, medication and exercise requirements of patients with diabetes, high cholesterol, heart ailments, hypoglycemia and other diseases. Confidentiality is assured by use of a Personal Identification Number (PIN) which is selected and changed at will by the individual user. The device will be available in various languages. Other functions include a four function calculator and a clock/calendar.

## **15 Claims, 17 Drawing Sheets**

